

## **EXECUTIVE SUMMARY OF TESTIMONY ON UOCAVA PROBLEMS**

**Patricia M. (Pat) Hollarn**

**May 13, 2009**

My experience includes serving a large military and overseas civilian voter population in 20 years as an election official in Okaloosa County, Florida, home of several large military installations. I also was an absentee military dependent overseas voter during my husband's Air Force career.

Problems actually begin with the registration process for many UOCAVA voters, caused by voters having little knowledge of the system and some election officials not fully understanding the proper implementation of UOCAVA itself. Questions on legal voting residency are often not adequately resolved.

Once a UOCAVA voter loses eligible voter status in a jurisdiction, for whatever reason, the registration problems start all over again. This either delays or denies a prospective voter his ballot.

Receiving and casting a ballot with the assurance of it being counted is the ultimate problem, to which the following are contributing factors:

- Election schedules that do not allow sufficient time for voter to receive and return a ballot in time to be counted.
- Forms and procedures that create obstacles to timely issuance, delivery, receipt, and counting of overseas ballot.
- Activated National Guard and Reserve military members who mistakenly do not get included as UOCAVA voters.
- Mailing of ballots to and from voters located in remote areas, combat zone, countries with known mail difficulties, have increased, not decreased over the years.

There are solutions to these problems that Congress can provide.

## **ISSUES FACING UOCAVA PERSONNEL IN VOTER REGISTRATION AND VOTING**

**Patricia M. (Pat) Hollarn**

**May 13, 2009**

This is the first time in my memory that anyone has maintained interest and purpose, beyond Election Day, in improving the opportunities for military voters anywhere and other American citizens overseas to register and vote, so I am grateful to you, Senator Schumer, Rules Committee members and staff, for allowing me to participate in this much needed effort for legislative action. I not only have been working with UOCAVA voters and the problems they confront for 20 years as the Supervisor of Elections in Okaloosa County, Florida which has an extraordinarily large military constituency, but I was also an overseas military spouse who had these very difficulties in the 60's and 70's during my husband's Air Force career.

The problems actually begin with voter registration, particularly when a person is not actually registered prior to leaving his or her legal voting residence. It is accepted that each state is entitled by the Constitution to have its own election laws and requirements, but it should also be accepted that the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) must be applied in every state to persons who fall under UOCAVA. Unfortunately most of these affected persons are not at all familiar with the entitlements of UOCAVA to take advantage of them in a timely manner in accordance with the law. Even more unfortunately, many election officials are not sufficiently familiar both with UOCAVA and its correct implementation.

This leads to confusion about legal voting residency for military personnel stationed within the United States, often worse for those already overseas. The law absolutely provides several options in these cases, but often, neither the voter nor the election official is well enough versed to resolve the situation as the law permits. This, in turn, either delays or denies a prospective voter his ballot.

Once registered, the UOCAVA voter's only responsibility is to provide his or her correct mailing address or other contact information to the election official. That voter is absent from his voting jurisdiction and must be kept informed by the election official, but in the case of the highly mobile military member that is still a problem, just as much for the voter as for the election official. Returned undeliverable mail not only can deprive the voter from receiving a ballot but jeopardizes his active voter status for the future as well. That starts the cycle of re-registration problems once again.

Obviously the issue of receiving and casting a ballot with the assurance of it being counted is the ultimate problem. I believe it is fair to say that almost all election officials want this process to be successful as much as the voter does, and yet issues that are beyond their control often prevent that from happening.

- Election schedules in some jurisdictions or states do not allow enough time after the ballot candidates and issues are certified and printing of ballots can begin. Work to prepare the lists of

eligible voters can be done ahead of this period, but updating is continual and maintaining accuracy add complexity. If there is not a minimum of 45 days set as the deadline for mailing the UOCAVA ballots, the chances lessen every day for solving any delivery problems. The law provides, at least by FVAP request, for the 45-day deadline for overseas voters' ballots only, however, with more and more TDY and deployment overseas assignments given at the last minute to military members, many whose records show that they are located in the US are actually overseas temporarily during election time. Either they run out of time to request the ballot, to notify the elections office where to send the ballot, or there is great difficulty in receiving ballots by mail, or even fax, in remote or combat locations, taking too much time to have the ballot received, cast and counted.

- Some states have laws that require specific forms and procedures for requesting absentee ballots that are clearly cumbersome and create time and frustration problems for UOCAVA voters. HAVA eased some of the problem by making their requests valid through two general elections, but the unintended consequences of that was to result in an excessive number of ballots that were returned as undeliverable. Those jurisdictions which added additional procedures to verify addresses no later than 90 days before an election improved ballot delivery considerably but the practice was not wide-spread enough to reduce the failures.
- Many voters now eligible under UOCAVA are the Reserve and National Guard members who are serving much longer on active duty than their former two-week active service of the past. In jurisdictions with few or no standard military installations and few military or ex-patriate citizens on the voter rolls, election officials who have had no real experience with implementing UOCAVA rights do not realize how they must now do so. Combined with the lack of information about registration and voting provided to these activated personnel, the amount of voting problems among this group in all likelihood exceeded regular active duty members.
- All UOCAVA voters are subject to the problems traced to mailing ballots. While the U.S. Postal Service (USPS) created a separate department, new and worthy procedures, and good outreach to election officials to help expedite absentee ballots in 2008, their efforts ended at the three ports—Miami, New York, San Francisco—where the Military Postal (MPO) system took over. It would not be totally fair to criticize the MPO, which must operate with insufficient resources under very difficult circumstances in many instances, but delays within it are inherent to the timely delivery problem. It is sufficient to say that mailing ballots, as well as other election-related pieces, is still the biggest problem for receiving, casting, and counting of ballots.

I can speak at much greater length about both problems and solutions and look forward to such an opportunity. At this time, thank you again for your attention and consideration.

## PATRICIA M. HOLLARN

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Supervisor of Elections, Okaloosa County FL (1989-2009)



### **Education:**

BA 1956, University of New Hampshire, Durham NH  
Graduate work, 1957, New York University, NYC  
Graduate work, 1962-63, St. Mary's University, San Antonio TX  
Florida Center for Public Mgmt, Certificate, 1989-91, Florida State University  
Certified Election & Registration Administrator, 1999, Auburn University

### **Professional/Community Affiliations:**

Florida State Association of Supervisors of Elections: All board positions,  
Committee chairs, President 1998-99, Federal Legislation Chair 2000-08  
The Election Center, Military Committee Chair, Legislative Committee  
National Task Forces on Elections 2001-02, 2003-04, 2009  
International Assn. of Clerks, Records, Election Officials & Treasurers  
Bridgeway Center (Mental Health), 1984-92, President 1990  
Fort Walton Beach Chamber of Commerce, Vice-President 1996-99  
Crestview Area Chamber of Commerce, Board member 1993-2002 and  
Chairman of Military Affairs 1999-2002  
Economic Development Council, Legislative Committee  
Emerald Coast Military Affairs Committee, Board Member 2007-present  
Institute of Senior Professionals, Northwest Florida State College  
Order Sons of Italy in America, Local Pres 1983-85, State officer 1985-89  
Air Force Association, 2003-

### **Honors/Awards:**

Emerald Coast Woman of the Year 1988  
Bridgeway Center Outstanding Board Member 1991  
Robert L.F. "Bob" Sikes Patriot of the Year Award 1996  
Honorary Squadron Commander 33<sup>rd</sup> FW 1997  
Commanders Group, USAF Air Combat Command HQ 1998-present  
Crestview Chamber's President's Award, 1999 and 2002  
Elected to Okaloosa County Women's Hall of Fame 2004  
Plew Outstanding Community Ambassador, Eglin AFB 2006

### **Previous Experience:**

Editing and Publishing, Robert W. Kelly Publishing Corp., NYC  
Accountant, Harbaugh & Wright Construction, Enid OK  
Pat Hollarn Piano Studio, Shalimar FL

### **Personal:**

Husband Tom Hollarn, Lt Col Ret USAF, Lockheed Martin Flight Simulator  
Instructor, Whiting NAS, FL; Three daughters and six grandchildren